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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,224	12/20/2001	Susanne Marie Crockett	8285/461	9046

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BRINKS HOFER GILSON & LIONE
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CHICAGO, IL 60610

EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/027,224

Applicant(s)

CROCKETT ET AL.

Examiner

Karen L. Le

Art Unit

2614

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Pre-appeal brief 2/15/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-11,14-21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-11,14-21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Non-final rejection on 11/7/2006 is withdrawn. This is non-final rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-11, 14-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin (U.S. 5,832,061) in view of Gilbert et al. (U. S. 6,795,530).

Regarding claims 1, 11 and 21, Rubin teaches a method for providing an announcement to a calling party when the calling party calls a disconnected telephone number of a called party (Col. 2, lines 1-3 and lines 19-26) the method comprising:

determining a telephone number of a calling party that attempts to call a disconnected telephone number of the called party (Col. 3, lines 31-36);

Rubin does not teach determining, in accordance with at least a portion of the telephone number of the calling party, whether the calling party is authorized to receive a first announcement and providing the first announcement to the calling party if the calling party is authorized by the called party to receive the first announcement and providing an alternate announcement if the calling party is not authorized by the called

party to receive the first announcement. However, Gilbert teaches determining, in accordance with at least a portion of the telephone number of the calling party, whether the calling party is authorized (Fig. 3, items 315, 320 and 325) to receive a first announcement and providing the first announcement to the calling party if the calling party is authorized by the called party to receive the first announcement (Col. 2, lines 13-21) and providing an alternate announcement if the calling party is not authorized by the called party to receive the first announcement (Col. 2, lines 13-21). Gilbert teaches when a caller calls the subscriber's telephone number the system checks the calling number. If the calling number located on the subscriber's personal list, the service plays the personal greeting to the caller. If the calling number is not located on the list, the system plays the subscriber's default greeting. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Gilbert's feature into Rubin's system in order to screen callers that are authorized to get the forwarding number of called party and to provide different announce if calling party is not authorized to receive the first announcement. Obviously, there may different scenarios when announcements are played to callers, and providing different announcements to callers is simply one of many known scenarios. This is easy to understand that one can have variety of greetings or messages of his choice.

Rubin further teaches the first announcement comprises a forwarding number of the called party (Col. 1, lines 60-63)

Art Unit: 2614

Regarding claims 4-5 and 14-15, Gilbert further teaches the calling party information includes at least a portion of a telephone number of the calling party, at least a portion of the telephone number further includes an area code of the calling party, at least three digits of the telephone number of the calling party (col. 2, lines 53-55).

Regarding claims 6 and 16, Gilbert teaches calling party information comprises information about calling parties that are authorized to receive the first announcement (Col. 2, lines 14-17).

Regarding claims 7 and 17, Gilbert teaches the telephone number comprises information about calling parties that are not authorized to receive the first announcement (Col. 2, lines 10-12).

Regarding claims 8 and 18, Gilbert further teaches the first announcement is provided by an announcement server (Col. 2, line 21-31).

Regarding claims 9 and 19, Gilbert further teaches providing a connection from the calling party to the announcement server (Col. 2, lines 21-31).

Regarding claim 23, Gilbert further teaches the telephone number comprises information about calling parties that are not authorized to receive the first announcement (Col. 2, lines 8-10). .

Regarding claim 24, Gilbert further teaches the act of determining comprises determining whether the calling party is listed on a reject list (Col. 2, lines 14-19).

4. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin (U. S. 5,832,061) in view of Gilbert et al. (U. S. 6,795,530), and further in view of Kim (U. S. 6,584,188).

Regarding claims 10 and 20, Rubin does not teach the idea of providing a call log of the disconnected telephone number to the called party. However, Kim teaches providing a call log of the disconnected telephone number to the called party (Col. 7, lines 38-43). Kim teaches a database includes record log that includes an incoming call portion and an outgoing call portion. The incoming call record log includes CID information, date and time of incoming call. Call log is old and well known in the telephone system and it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included such a feature to Rubin's system to provide a call log of disconnected telephone number.

5. Claims 1, 4-11, 14-21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dans (U.S. 6,195,417) in view of Gilbert et al. (U. S. 6,795,530).

Regarding claims 1, 11 and 21, Dans teaches the old and well known "intercept messages" which are played when a caller dials a disconnected telephone number.

The messages are for example:

"The number you are dialing ... has been changed. The new number is ..." or

"The number you dialed has been disconnected, no further information is available" (Col. 14, Lines 44-45 and 66-67)

Generally, the first message is played when the user wishes to provide the new telephone number to callers and the second message is played when user does not wish to provide his/her new telephone number to callers.

Gilbert teaches providing different messages for different callers. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Dans into the teaching of Gilbert for the purpose of having different announcements for different callers. For example, someone may change his/her telephone number and may wish to give the new number (via an intercept message) to only selected caller such as family and friends.

Regarding claims 4-5 and 14-15, Gilbert further teaches the calling party information includes at least a portion of a telephone number of the calling party, at least a portion of the telephone number further includes an area code of the calling party, at least three digits of the telephone number of the calling party (col. 2, lines 53-55).

Regarding claims 6 and 16, Gilbert teaches calling party information comprises information about calling parties that are authorized to receive the first announcement (Col. 2, lines 14-17).

Regarding claims 7 and 17, Gilbert teaches the telephone number comprises information about calling parties that are not authorized to receive the first announcement (Col. 2, lines 10-12).

Regarding claims 8 and 18, Gilbert further teaches the first announcement is provided by an announcement server (Col. 2, line 21-31).

Regarding claims 9 and 19, Gilbert further teaches providing a connection from the calling party to the announcement server (Col. 2, lines 21-31).

Regarding claims 10 and 20, Dans teaches providing a call log of the disconnected telephone number to the called party (Col. 12, lines 8-11 and 27-29).

Regarding claim 23, Gilbert further teaches the telephone number comprises information about calling parties that are not authorized to receive the first announcement (Col. 2, lines 8-10).

Regarding claim 24, Gilbert further teaches the act of determining comprises determining whether the calling party is listed on a reject list (Col. 2, lines 14-19).

Response to Arguments

6. Applicant's arguments with respect to claims 1, 4-11, 14-21 and 23-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen L. Le whose telephone number is 571-272-7487. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Application/Control Number: 10/027,224

Page 9

Art Unit: 2614

Karen Le
KLL

November 7, 2006


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